

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:	Mark S. Ratliff)	
)	
	Debtor.)	Case No. 13-36821-KRH
)	Chapter 13
)	
Address)	
	Mark S. Ratliff)	
	2800 Dalkeith Dr.)	
	Henrico, VA 23233)	
)	
Last four digits of SSN or ITIN:)	
	1843		

NOTICE OF OBJECTION TO CONFIRMATION

Jason M. Krumbein, Esq. has filed papers with this court objecting to confirmation of the plan filed on January 2, 2014.

Your rights may be affected. You should read these papers carefully, and discuss them with your attorney in this Bankruptcy Case, if you have one. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before 7 DAYS FROM TODAY, you or your attorney must:

File with the court and mail a copy to the Debtors' counsel, at the addresses shown below, a written request for a hearing. If you mail your request for hearing to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of the Court
U.S. Bankruptcy Court
701 E. Broad St., Suite 4000
Richmond, VA 23219

Jason M. Krumbein, Esq.
Krumbein Consumer Legal Services, Inc.
5310 Markel Road, Suite 102
Richmond, VA 23230

You must also attend a hearing on March 5, 2014 at 9:10 am.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion, and may enter an order granting that relief.

Date: February 21, 2014

/s/ Jason M. Krumbein, Esq.
5310 Markel Road, Suite 102
Richmond, VA 23230
VSBN 43538
Counsel for Debtor in Bankruptcy

CERTIFICATE OF SERVICE
See certification in Application Attached hereto

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MOTION FOR

COMES NOW, Krumbein Consumer Legal Services, Inc., counsel for Sarah Spiers, creditor, and says as follows:

JURISDICTION, VENUE, CORE PROCEEDING

- 1) This court has jurisdiction pursuant to 28 USC 1441.
- 2) This is the proper venue pursuant 28 USC 1391.
- 3) This is a core proceeding pursuant to 28 USC 157.

PARTIES

- 4) The movant is a creditor in the above identified case, as defined by the Bankruptcy Code.
- 5) Respondent is a debtor as defined by the Bankruptcy code.

FACTS

- 6) Respondent filed a Voluntary Petition for Relief in this court on December 19, 2013.
- 7) Movant was listed as a creditor who, prior to the Bankruptcy was owed approximately \$9,000 in pre-petition spousal support.
- 8) Debtor filed a lists, schedules, statements, and a plan.

- 9) In the statements and schedules, debtor listed a step daughter, aged 21 as a resident of the household. However, on information and belief, the 21 year old has her own apartment, and rarely occupies the debtor's residence. The means test indicates this person is a member of the household, and the means test therefore is incorrectly calculated.
- 10) The debtor listed more than \$1,300 in expenses for the debtor's non-filing spouse. At the meeting of creditors pursuant to Section 341, the debtor was unable to specify the nature of the expenses or itemize such.
- 11) At the 341 meeting, the debtor indicated that the non-filing spouse had an interest in 1 or more pieces of real estate, which were at least partially income producing. No indication of such is reported on either the means test or Schedule I-Income.
- 12) At the meeting of creditors, the debtor indicated that he would provide some evidence of the amounts paid and to whom, based on questions that indicated the possibility of hiding income and creating expenses. No bank statements have been provided. It is alleged that some or all of the expenses are phantom, or done for the purposes of hiding income.

RELIEF REQUESTED

Movants request that the court deny confirmation for the reasons stated above.

/s/ Jason M. Krumbein, Esq.
Jason M. Krumbein, Esq. VSBN 43538
Counsel for the Debtor(s) in Bankruptcy
Krumbein Consumer Legal Services, Inc.
5310 Markel Road, Suite 102
Richmond, VA 23230
Tel: 804.303.0204 Fax: 804.303.0209
jkrumbein@krumbeinlaw.com

CERTIFICATE OF SERVICE

I certify that I have this February 21, 2014, transmitted a true copy of the foregoing application electronically through the court's CM/ECF system to counsel for the debtor, the Chapter 13 Trustee and by regular mail to the to the Debtor and all creditors listed on the attached Service List.

BY ECF:

Hunter R. Wells, Esq. Counsel for the debtor.

Carl M. Bates, Chapter 13 Trustee

BY US MAIL

Mark S. Ratliff

2800 Dalkeith Drive

Henrico, VA 23233

/s/ Jason M. Krumbein, Esq.
Counsel for the Debtor(s) in Bankruptcy